

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**
FIFTEENTH DAY'S PROCEEDINGS

**Thirtieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, April 27, 2004

The Senate was called to order at 1:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

ABSENT

Bajoie
Total—1

The President of the Senate announced there were 38 Senators present and a quorum.

Prayer

The prayer was offered by Brother Danny Chance, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Kostelka, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Introduction of Senate Resolutions

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolution a first and second time and acting upon it as follows:

SENATE RESOLUTION NO. 42—

BY SENATOR HAINKEL

A RESOLUTION

To commend the 2nd Battalion of the 20th Special Forces Group, Airborne, for heroic contributions during actions in the war on terrorism.

On motion of Senator Hainkel, the resolution was read by title and adopted.

Morning Hour

**Senate Resolutions
on Second Reading**

The following Senate Resolutions were read and acted upon as follows:

SENATE RESOLUTION NO. 40—

BY SENATOR DUPLESSIS

A RESOLUTION

To urge and request the Select Committee on Women and Children to conduct a study of the possibility of creating a grandparent's bill of rights.

On motion of Senator Duplessis, the resolution was read by title and adopted.

**Senate Concurrent Resolutions
on Second Reading**

The following Senate Concurrent Resolutions were read and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 76—

BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To urge and request the Department of Social Services to study the feasibility of implementing the "At Home Infant Care Act".

The resolution was read by title. Senator Fields moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Amedee	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Hainkel	Mount
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	

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Total—35

NAYS

Total—0

ABSENT

Adley

Heitmeier

Bajoie

Nevers

Total—4

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 77—

BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to place in the 2005-2006 Port Priority Program the Acadiana to the Gulf of Mexico Access Channel project as a high priority and to request the department on behalf of the state of Louisiana to commit the appropriate matching funds as may be required to expedite the construction of the project.

The resolution was read by title. Senator Romero moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President

Fontenot

Marionneaux

Amedee

Gautreaux, B

McPherson

Barham

Gautreaux, N

Michot

Boasso

Heitmeier

Mount

Boissiere

Holden

Nevers

Chaisson

Hollis

Romero

Cheek

Irons

Schedler

Cravins

Jackson

Smith

Dardenne

Jones

Theunissen

Dupre

Kostelka

Ullo

Ellington

Lentini

Fields

Malone

Total—34

NAYS

Total—0

ABSENT

Adley

Cain

Hainkel

Bajoie

Duplessis

Total—5

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 78—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Environmental Quality to allocate one million dollars from the Waste Tire Management Fund to the Department of Transportation and Development for highway and drainage maintenance construction using waste tire chips in Fiscal Year 2004-05 and requests the secretary of DOTD to utilize these funds to maximize efforts in obtaining federal fund matches for the usage of waste tire chips in highway and drainage maintenance construction.

The resolution was read by title. Senator Ellington moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President

Ellington

Lentini

Amedee

Fields

Malone

Barham

Fontenot

Marionneaux

Boasso

Gautreaux, B

McPherson

Boissiere

Gautreaux, N

Mount

Cain

Heitmeier

Nevers

Chaisson

Holden

Romero

Cheek

Hollis

Schedler

Cravins

Irons

Smith

Dardenne

Jackson

Theunissen

Duplessis

Jones

Ullo

Dupre

Kostelka

Total—35

NAYS

Total—0

ABSENT

Adley

Hainkel

Bajoie

Michot

Total—4

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 79—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To commend Duke Energy Gas Transmission Corporation's Texas Eastern Transmission, LP affiliate on the donation of 3.63 acres of land to the Fire Protection District No. 1 in West Feliciana Parish.

The resolution was read by title. Senator Ellington moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Amedee	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Adley	Bajoie	Hainkel
Total—3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

April 27, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 42—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 14:35.3(B)(2), relative to the crime of domestic abuse battery; to define "household member" to include certain minor children; and to provide for related matters.

HOUSE BILL NO. 43—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 14:30(A)(9) and to amend and reenact R.S. 14:30(B), relative to homicide; to provide with respect to the crime of first

degree murder; to provide for definitions; and to provide for related matters.

HOUSE BILL NO. 556—

BY REPRESENTATIVES CRANE AND DORSEY
AN ACT

To amend and reenact Section 1(B) of Act No. 991 of the 1999 Regular Session of the Legislature, relative to the authority granted to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose specified increases in tuition amounts at the university laboratory school; to remove exceptions relative to the payment of certain authorized amount increases provided for certain families based on gross annual household income; to provide for the applicability of exceptions previously authorized by law; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 561—

BY REPRESENTATIVES WALSWORTH, KATZ, AND THOMPSON
AN ACT

To enact R.S. 14:61, relative to unauthorized entry of a critical infrastructure; to define unauthorized entry of a critical infrastructure; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 787—

BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 24:7, relative to the legislature; to provide relative to committee meetings; to allow certain committee meetings to be conducted by video conference; to allow each house of the legislature to adopt rules to facilitate meetings by video conference; and to provide for related matters.

HOUSE BILL NO. 896—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 27:30.3 and to repeal R.S. 27:114 and 365(5), relative to the monitoring and reading of certain electronic gaming devices; to provide that electronic gaming devices at certain gaming establishments shall be linked by telecommunication to a central computer system for purposes of monitoring and reading device activities; to provide for the assessment and collection of fees; to provide for the adoption of rules; to provide for exceptions; and to provide for related matters.

HOUSE BILL NO. 925—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 15:542(B)(6), relative to notification by sex offenders; to provide with respect to posting of notices in certain places of business; and to provide for related matters.

HOUSE BILL NO. 1135—

BY REPRESENTATIVES LAFLEUR AND MURRAY
AN ACT

To amend and reenact R.S. 22:622.2, relative to automobile liability insurance; to provide for coverage; to provide for prohibitions on limitations; to provide for public policy; and to provide for related matters.

HOUSE BILL NO. 1302—

BY REPRESENTATIVES MURRAY, JEFFERSON, AND MARCHAND
AN ACT

To enact Chapter 13-D of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.51 through 4720.71, and to repeal Act No. 170 of the 1968 Regular Session, as amended, and to repeal all Acts amending such Act including Act No. 299 of the 1972 Regular Session, Act Nos. 571 and 572 of the 1980 Regular Session, Act No. 155 of the 1984 Regular Session, Act Nos. 65 and 135 of the 1994 Third Extraordinary Session, Act Nos. 30 and 375 of the 1995 Regular Session, Act No. 101 of the 1997 Regular Session, and Act Nos. 266 and 968 of the 2003 Regular Session, relative to the city of New Orleans; to codify the provisions of the New Orleans Community Improvement Act; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 42—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 14:35.3(B)(2), relative to the crime of domestic abuse battery; to define "household member" to include certain minor children; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 43—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 14:30(A)(9) and to amend and reenact R.S. 14:30(B), relative to homicide; to provide with respect to the crime of first degree murder; to provide for definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 556—

BY REPRESENTATIVES CRANE AND DORSEY
AN ACT

To amend and reenact Section 1(B) of Act No. 991 of the 1999 Regular Session of the Legislature, relative to the authority granted to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to impose specified increases in tuition amounts at the university laboratory school; to remove exceptions relative to the payment of certain authorized amount increases provided for certain families based on gross annual household income; to provide for the applicability of exceptions previously authorized by law; to provide an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 561—

BY REPRESENTATIVES WALSWORTH, KATZ, AND THOMPSON
AN ACT

To enact R.S. 14:61, relative to unauthorized entry of a critical infrastructure; to define unauthorized entry of a critical infrastructure; to provide for penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 787—

BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 24:7, relative to the legislature; to provide relative to committee meetings; to allow certain committee meetings to be conducted by video conference; to allow each house of the legislature to adopt rules to facilitate meetings by video conference; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 896—

BY REPRESENTATIVE MARTINY
AN ACT

To enact R.S. 27:30.3 and to repeal R.S. 27:114 and 365(5), relative to the monitoring and reading of certain electronic gaming devices; to provide that electronic gaming devices at certain gaming establishments shall be linked by telecommunication to a central computer system for purposes of monitoring and reading device activities; to provide for the assessment and collection of fees; to provide for the adoption of rules; to provide for exceptions; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 925—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 15:542(B)(6), relative to notification by sex offenders; to provide with respect to posting of notices in certain places of business; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1135—

BY REPRESENTATIVES LAFLEUR AND MURRAY
AN ACT

To amend and reenact R.S. 22:622.2, relative to automobile liability insurance; to provide for coverage; to provide for prohibitions on limitations; to provide for public policy; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1302—

BY REPRESENTATIVES MURRAY, JEFFERSON, AND MARCHAND
AN ACT

To enact Chapter 13-D of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.51 through 4720.71, and to repeal Act No. 170 of the 1968 Regular Session, as amended, and to repeal all Acts amending such Act including Act No. 299 of the 1972 Regular Session, Act Nos. 571 and 572 of the 1980 Regular Session, Act No. 155 of the 1984 Regular

Session, Act Nos. 65 and 135 of the 1994 Third Extraordinary Session, Act Nos. 30 and 375 of the 1995 Regular Session, Act No. 101 of the 1997 Regular Session, and Act Nos. 266 and 968 of the 2003 Regular Session, relative to the city of New Orleans; to codify the provisions of the New Orleans Community Improvement Act; and to provide for related matters.

The bill was read by title; lies over under the rules.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 585—

BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 27:325 and to repeal R.S. 27:307(E), relative to the Video Draw Poker Devices Control Law; to authorize certain advertising by video draw poker licensees; to authorize the promotion of the play of video draw poker devices; to repeal advertising restrictions on the outside of video draw poker establishments; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 357, was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 97—

BY REPRESENTATIVE SALTER
AN ACT

To enact Children's Code Article 815(E), relative to preadjudication custody of children; to provide with respect to the costs of such custody; to provide for the responsibility of bearing such costs; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 108—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact Code of Civil Procedure Article 2412(A), relative to garnishments; to provide for notice of garnishment to the judgment debtor; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 160—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 56:435.1(A), (C), and (G), to enact R.S. 56:435.1.1, and to repeal R.S. 56:435.1(H), relative to oyster harvesting; to authorize the use of certain dredges in Calcasieu Lake; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 246—

BY REPRESENTATIVES DANIEL, JACKSON, DORSEY, AND SCALISE

AN ACT

To enact R.S. 47:463.126 and 463.127, relative to motor vehicles; to provide relative to license plates; to create the Louisiana State University National Champions and the Southern University Black College National Champions prestige license plates; to provide for the issuance of such plates; to provide for the design and color of such plates; to provide relative to the fees for such plates, including a royalty fee for the use of the organizational design and logo on such plates; to designate the use of such royalty fees; to authorize the promulgation of rules and regulations; to require a contract relative to royalty fees; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 402—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact Code of Criminal Procedure Article 734(C), relative to subpoenas; to authorize service of subpoenas by investigators employed by district attorneys; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 421—

BY REPRESENTATIVE BEARD
AN ACT

To enact R.S. 44:3.2, relative to public records; to exempt certain proprietary and trade secret information from the laws relative to public records; to provide for certain determinations by a custodian; to provide for certain notification procedures; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 426—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:1290, relative to the Louisiana State Board of Medical Examiners; to provide for penalties for the unauthorized practice of medicine; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Health and Welfare.

HOUSE BILL NO. 428—

BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 37:1285.3, relative to the Louisiana State Board of Medical Examiners; to require that security accompany any judicial review of a final decision of the board; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 450—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S.56:424(E)(2) and 433(J), relative to taking oysters; to require the use of a vessel monitoring system by a person convicted of violations of the laws governing the taking of oysters; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 494—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 3:4631(E), 40:5.3(E) and (F), and 56:449(A) and (C), relative to the National Shellfish Sanitation Program; to remove from the statutes references to the standards as adopted by the program; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 544—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 24:31.3, relative to newly elected members of the legislature; to allow for reimbursement for expenses related to attendance at certain orientation seminars for newly elected members of the legislature; to allow for certain actions and expenditures to establish a district office for such members-elect; to allow the employment of legislative assistants by such members-elect; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

HOUSE BILL NO. 570—

BY REPRESENTATIVE GARY SMITH

AN ACT

To amend and reenact R.S. 17:270(A) and 271(A)(2) and R.S. 32:402.1(A)(introductory paragraph) and (1) and (2)(introductory paragraph), 402.2, 407(A)(2)(a), and 408(A)(1), relative to driver education, training, and testing; to require instruction relative to sharing the road with motorcycles and tractor/trailer trucks during driver education, training, improvement, and remediation programs; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 626—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 32:666(C), relative to refusal to submit to chemical tests; to provide with respect to law enforcement officers who are appointed as ex officio notaries public; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 653—

BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 56:424(H), relative to taking of oysters; to authorize the Department of Natural Resources to sample oyster leases for matters related to coastal restoration; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Natural Resources.

HOUSE BILL NO. 853—

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 23:1378(A)(5), relative to the second injury fund; to allow the second injury fund to intervene in third-party actions; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 868—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 47:510(A), relative to vehicle registration; to provide relative to the requirement that vehicle manufacturers and dealers give notice regarding vehicle transfers; to provide relative to certain exemptions; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 876—

BY REPRESENTATIVE TOWNSEND

AN ACT

To amend and reenact R.S. 47:9004(B)(1), relative to the board of directors for the Louisiana Lottery Corporation; to provide for the appointment of one member of the board; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 885—

BY REPRESENTATIVE BEARD

AN ACT

To enact R.S. 30:2394(E), relative to the water quality; to provide for permit requirements for irrigating with water from certain sources; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Environmental Quality.

HOUSE BILL NO. 990—

BY REPRESENTATIVE BROOME

AN ACT

To amend and reenact R.S. 6:1009(A), relative to currency exchange services; to set maximum fees charged by check-cashers; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 1209—BY REPRESENTATIVE SHEPHERD
AN ACT

To amend and reenact R.S. 32:1254(N)(3)(f), relative to motor vehicle sales; to provide relative to spot delivery sales; to provide for immediate refund of prospective purchaser's deposit; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 1401—BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 37:1800(A) and to repeal R.S. 37:1800(D), relative to maturity dates for pawn transactions; to decrease the maturity date for jewelry pledged in all pawnshops; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Commerce, Consumer Protection and International Affairs.

HOUSE BILL NO. 1575 (Substitute for HB No. 1219 by Representative Hammett)—BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 47:1561.1(A), relative to the Department of Revenue; to authorize the Department of Revenue to assess certain costs in officer liability actions; to provide for an effective date; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

House Concurrent Resolutions on Second Reading

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 61—BY REPRESENTATIVE MCDONALD
A CONCURRENT RESOLUTION

To memorialize the United States Congress to appropriate funds for design and construction assistance for water-related environmental infrastructure and resource development and protection projects in Louisiana.

On motion of Senator Ullo, the resolution was read by title and referred to the Committee on Environmental Quality.

Senator Heitmeier in the Chair

HOUSE CONCURRENT RESOLUTION NO. 63—BY REPRESENTATIVE GARY SMITH
A CONCURRENT RESOLUTION

To urge and request the office of motor vehicles and the state Board of Elementary and Secondary Education to include in their training and testing of drivers' information relative to sharing the road with motorcycles and tractor/trailer trucks.

The resolution was read by title. Senator Chaisson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Mount
Cheek	Holden	Nevers
Cravins	Hollis	Romero
Dardenne	Irons	Smith
Duplessis	Jackson	Theunissen
Dupre	Jones	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bajoie	Chaisson	Kostelka
Boasso	Hainkel	Schedler
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 68—BY REPRESENTATIVES ODINET AND HUTTER
A CONCURRENT RESOLUTION

To memorialize the United States Congress, the Louisiana Congressional Delegation, and the United States Army Corps of Engineers to promptly close the Mississippi River Gulf Outlet in the manner contemplated by the Coast 2050 Plan and to memorialize the United States Congress and the Louisiana Congressional Delegation to authorize the full funding capability of the United States Army Corps of Engineers for the Inner Harbor Navigation Canal lock project.

On motion of Senator Ullo, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 71—BY REPRESENTATIVE JACK SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install traffic warning devices at certain locations in St. Mary Parish.

The resolution was read by title. Senator B. Gautreaux moved to concur in the House Concurrent Resolution.

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15th DAY'S PROCEEDINGS

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	Michot
Barham	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jackson	Ullo
Duplessis	Jones	
Dupre	Lentini	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Hainkel	McPherson
Boasso	Kostelka	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 117— BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend the students, parents, teachers, school and school system administrators, and the school board of St. Tammany Parish for achieving the highest District Performance Score in the state.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Hainkel	Kostelka
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 118— BY REPRESENTATIVE K. CARTER

A CONCURRENT RESOLUTION

To declare the week of May 10 through 16, 2004, to be Cover the Uninsured Week in Louisiana.

The resolution was read by title. Senator Irons moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Boasso	Hainkel
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 124— BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To recognize May 9 through May 15, 2004, as Police Week and May 15, 2004, as Peace Officers Memorial Day, to commend law enforcement officers, and to encourage all citizens to join in the week's special commemorative tributes.

The resolution was read by title. Senator Schedler moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—34		

NAYS

Romero
Total—1

ABSENT

Bajoie	Hainkel
Boasso	Irons
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Personal Privilege

Senator Romero asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Concurrent Resolution No. 124. He voted nay on the resolution and had intended to vote yea. He asked that the Official Journal so state.

HOUSE CONCURRENT RESOLUTION NO. 125—
BY REPRESENTATIVE HOPKINS**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of James Patton "Pat" Parker.

The resolution was read by title. Senator Jackson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Marionneaux
Adley	Fields	McPherson
Amedee	Fontenot	Michot

Barham	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Hollis	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Lentini	
Dupre	Malone	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Hainkel	Kostelka
Boasso	Irons	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 126—
BY REPRESENTATIVE HOPKINS**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences upon the death of John Jones Doles, Jr. of Plain Dealing.

The resolution was read by title. Senator Malone moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Irons	Schedler
Hainkel	Marionneaux	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 127—

BY REPRESENTATIVE GRAY

A CONCURRENT RESOLUTION

To commend the Louisiana Endowment for the Humanities.

The resolution was read by title. Senator Boissiere moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	McPherson
Barham	Fontenot	Michot
Boasso	Gautreaux, B	Mount
Boissiere	Gautreaux, N	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Smith
Cheek	Hollis	Theunissen
Cravins	Jackson	Ullo
Dardenne	Jones	
Duplessis	Kostelka	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Irons	Schedler
Hainkel	Marionneaux	
Total—5		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 129—

BY REPRESENTATIVES PITRE, TRICHE, BALDONE, AND DOVE

A CONCURRENT RESOLUTION

To express the condolences of the Louisiana Legislature on the death of Detective Chaney Champagne of Lockport.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero

Cheek
Cravins
Dardenne
Duplessis
Total—35

Hollis
Jackson
Jones
Kostelka

Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Bajoie	Irons
Hainkel	Schedler
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 130—

BY REPRESENTATIVES PITRE, TRICHE, BALDONE, AND DOVE

A CONCURRENT RESOLUTION

To express the condolences of the Louisiana Legislature on the death of Detective Sergeant Kurt "Woody" Harrelson of Raceland.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Hainkel	Schedler
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 135—
BY REPRESENTATIVE ANSARDI**A CONCURRENT RESOLUTION**

To commend the Junior Leagues in Louisiana and throughout this country and to proclaim and recognize April 28, 2004, as Junior League Day.

The resolution was read by title. Senator Lentini moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Hainkel	Schedler
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 136—
BY REPRESENTATIVE MARTINY**A CONCURRENT RESOLUTION**

To express sincere and heartfelt condolences of the Louisiana Legislature upon the death of Sanford "Sandy" Krasnoff.

The resolution was read by title. Senator Hollis moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Barham	Fontenot	Marionneaux
Boasso	Gautreaux, B	McPherson
Boissiere	Gautreaux, N	Michot
Cain	Heitmeier	Mount

Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Hainkel	Schedler
Total—3		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 138—

BY REPRESENTATIVE GARY SMITH AND SENATOR CHAISSON

A CONCURRENT RESOLUTION

To commend the Hahnville High School football team and coaches upon winning the Class 5A State Football Championship.

The resolution was read by title. Senator Chaisson moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Total—35		

NAYS

Total—0

ABSENT

Bajoie	Jackson
Hainkel	Schedler
Total—4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Chaisson, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 27, 2004

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

SENATE BILL NO. 633—

BY SENATOR KOSTELKA

AN ACT

To enact R.S. 14:75, relative to nonpayment of child support obligations; to enact the Deadbeat Parents Punishment Act of Louisiana; to create the crime of failure to pay legal child support obligation; to provide for presumptions; to provide for penalties; to provide for restitution; to provide for venue; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 154—

BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 14:112.2 and 112.3, relative to the fraudulent portrayal of a law enforcement officer; to create the crime of fraudulent portrayal of a law enforcement officer; to create the crime of aiding and abetting fraudulent portrayal of a law enforcement officer; to provide for penalties; to provide for definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 355—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 15:571.4(B)(1), relative to diminution of sentence; to authorize the forfeiture of good time in certain circumstances involving escape; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JOEL T. CHAISSON, II
Chairman

REPORT OF COMMITTEE ON

ENVIRONMENTAL QUALITY

Senator Fontenot, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

April 27, 2004

To the President and Members of the Senate:

I am directed by your Committee on Environmental Quality to submit the following report:

SENATE BILL NO. 562—

BY SENATOR FONTENOT

AN ACT

To enact R.S. 30:2075.4, relative to installers and maintenance providers of onsite treatment systems; to require a bi-annual license; to provide qualifications and requirements for such licenses; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
HEULETTE "CLO" FONTENOT
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Marionneaux, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

April 27, 2004

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

SENATE BILL NO. 139—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 15:574.2(B)(1), relative to the vote required to grant parole; to provide for a vote of the full board in certain cases; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 150—

BY SENATOR JONES

AN ACT

To enact R.S. 18:1300.24, relative to gaming elections; to authorize the municipality of Richwood in Ouachita Parish to call and conduct a referendum election on a proposition to allow the operation of video draw poker devices in the municipality; to provide for the procedures for the calling and conducting of such election; to provide for the effectiveness of the results of the election; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 345—

BY SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 27:306(A)(4)(c)(ii), relative to the Video Draw Poker Devices Control Law; to provide for requirements for qualified truck stop facilities; to provide for necessary restaurant criteria; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 616—
BY SENATOR CHAISSON

AN ACT

To enact R.S. 27:306(A)(7)(b) and (c), relative to the Video Draw Poker Devices Control Law; to provide for qualified truck stop facilities; to provide for calculation of monthly fuel sales average for device number determinations at truck stops; to provide for exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 685—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 15:574.2(A)(1) and (B)(1), relative to board of parole; to provide for changes to the vote requirement needed to grant parole; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 820—
BY SENATOR MARIONNEAUX

AN ACT

To amend and reenact R.S. 27:25(E), relative to hearings conducted by the Louisiana Gaming Control Board Hearing Office; to provide that the decision of a hearing officer on any dispute shall not be appealable by the state; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT MARIONNEAUX, JR.
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 27, 2004

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

SENATE RESOLUTION NO. 36—
BY SENATOR BARHAM

A RESOLUTION

To urge and request the Louisiana congressional delegation to end the abuse of tort law against the firearms industry.

Reported favorably.

SENATE BILL NO. 94—
BY SENATOR LENTINI

AN ACT

To amend and reenact the Louisiana Code of Civil Procedure, relative to civil law and procedure; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 125—
BY SENATOR ULLO AND REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 15:587.1(E), relative to Louisiana Child Protection Act; to provide that a nonpublic entity shall comply with the provisions of the Louisiana Child Protection Act; to provide that the head of any nonpublic entity who fails to comply with the provision of the Louisiana Child Protection Act shall be fined; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 177—
BY SENATOR HAINKEL

AN ACT

To amend and reenact Chapters 8 and 9 of Title II of Book III of the Civil Code, comprising Articles 1734 through 1750, and 1754 through 1755, to enact Chapter 8 of Title II of Book III of the Civil Code, comprising Article 1734, relative to donations made by marriage contract by third persons to future spouses or to future spouses and their children and donations made between future or present spouses; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 228—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 9:4204 and to enact R.S. 9:4210(E), relative to arbitration; to provide relative to grounds for appeal; to include certain circumstances as such grounds; to establish a minimum fee for arbitrators; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 274—
BY SENATOR LENTINI

AN ACT

To amend and reenact Ch.C. Arts. 615 and 616, relative to the disposition of child abuse investigatory reports; provides that reports determined not to be justified are handled similarly to those found to be inconclusive; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 282—
BY SENATOR DARDENNE

AN ACT

To amend and reenact Code of Civil Procedure Arts. 1201(C) and 1672(C), relative to service of citation; to provide relative to the manner in which service of citation shall be requested; to require the payment of fees for such service; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 370—
BY SENATOR LENTINI

AN ACT

To amend and reenact the introductory paragraph of R.S. 40:1299.39.1(C)(1) and the introductory paragraph of R.S. 40:1299.47(C), relative to medical review panels; to provide for the appointment of the attorney member of such panel; to authorize such appointment by the plaintiff attorney under certain circumstances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 581—
BY SENATOR SCHEDLER

AN ACT

To enact Civil Code Art. 2713(C), relative to obligations of the lessee; to provide relative to eviction; to provide relative to failure to comply with a notice of eviction; to require lessee to pay court costs in such instances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 609—
BY SENATOR BAJOE

AN ACT

To amend and reenact Ch.C. Art. 610(B)(8) and (D) and to enact Ch.C. Art. 610(B)(9), relative to child abuse reporting; to require that additional information be included in child abuse reports; to require the Department of Social Services to provide an optional written form for mandatory reporting; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 628—
BY SENATOR BAJOE

AN ACT

To amend and reenact Ch.C. Art. 611(A), relative to child abuse reporting and investigation; to limit liability against persons who report child abuse under certain circumstances; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 638—
BY SENATOR BAJOE

AN ACT

To amend and reenact Children's Code Art. 610(A) and (E), relative to child abuse mandatory reporting procedure; to permit reporting to both the local child protection unit and the local or state law enforcement agency; to provide relative to cases which are reported in error; to require that such cases be reported to the appropriate agency; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 90—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 11:3363(G), relative to local retirement; to provide with respect to the Firefighters' Pension and Relief Fund for the city of New Orleans; to authorize the New Orleans Firefighters Association, Local 632 and the Firefighters' Pension and Relief Fund for the city of New Orleans to negotiate a cooperative endeavor agreement with the city of New Orleans pursuant to the Supreme Court of Louisiana decision in "NEW ORLEANS FIREFIGHTERS LOCAL 632 ET AL. versus THE CITY OF NEW ORLEANS ET AL.," bearing number 00-C-1921 c/w number 00-C-2041; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Boissiere, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 187—

BY SENATORS ULLO, MCPHERSON AND DUPRE

AN ACT

To enact R.S. 56:805, relative to wildlife and fisheries; to provide relative to Elmer's Island; to provide certain terms, conditions and procedures; to authorize certain fees; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 187 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 3, delete "to authorize certain fees;"

AMENDMENT NO. 2

On page 1, line 12, after "compatible uses." delete the remainder of the line and delete lines 13 through 15

On motion of Senator Heitmeier, the committee amendment was adopted. The amended bill was read by title and ordered reengrossed and passed to a third reading.

SENATE BILL NO. 205—

BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3682(13), (16), and (26), 3683(1), (2), and (3)(a), 3684(D) and (E), 3685(B)(8), and 3689(A) and (C), relative to the Harbor Police Retirement System; to provide with respect to definitions; to correct references to citations; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Boissiere, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 290—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:1938(C) and (F)(2) and to enact R.S. 11:107, 723(C), 1925(G), relative to Parochial Employees' Retirement System; to provide with respect to deferred retirement option plan; to provide with respect to additional employer contributions; to provide with respect to members employed in other state employment; to provide for direct rollovers in certain circumstances for purchase of creditable service; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 290 by Senator Boissiere

AMENDMENT NO. 1

On page 2, line 7, change "R.S. 105(C)" to "R.S. 11:105(C)"

AMENDMENT NO. 2

On page 2, at the end of line 15, delete "If the"

AMENDMENT NO. 3

On page 2, delete lines 16 through 19 in their entirety.

AMENDMENT NO. 4

On page 3, line 2, change "R.S. 1939" to "R.S. 11:1939" and delete line 16 in its entirety.

AMENDMENT NO. 5

On page 3, line 17, delete "Deferred Retirement Option Plan prior to January 1, 2004," and change "after" to "(2) After"

AMENDMENT NO. 6

On page 3, line 28, after "annual basis" delete the remainder of the line

AMENDMENT NO. 7

On page 3, delete line 29 in its entirety.

AMENDMENT NO. 8

On page 4, delete lines 1 through 6 in their entirety.

On motion of Senator Boissiere, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 322—
BY SENATOR NEVERS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 20 of the Constitution of Louisiana, relative to homestead exemption; to provide for an exemption for homesteads owned by certain persons; and to

specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 322 by Senator Nevers

AMENDMENT NO. 1

On page 1, line 3, after "exemption for" change "homesteads owned" to "newly constructed residences owned and occupied"

AMENDMENT NO. 2

On page 2, delete lines 1 through 6, and insert:

"(ii)(aa) The governing authority of a parish or a municipality may provide by ordinance for an exemption for any newly constructed residence at a cost which shall not exceed a limit which shall be set forth in such ordinance whose first owner and occupier is a person sixty-five years of age or older if the residence qualifies as a bona fide homestead as provided for in this Section. The exemption shall exempt such residence from all ad valorem taxes levied within the territorial jurisdiction of the governing authority to the full extent of its assessed valuation for the first five years of the owner's ownership and occupation. "Occupier" means a first owner who occupies the residence as his domicile and primary residence and the residence is located within the precinct in which the person is registered or is eligible to register to vote.

"(bb) This exemption shall apply to only one residence on a bona fide homestead and any first owner or his surviving spouse claiming the exemption for such a homestead shall not be eligible either for an exemption for another homestead or for another exemption as provided in this Item. If the governing authority repeals the exemption provided in this Item, the holder of such an exemption shall retain the exemption until the five year period has run.

"(cc) Any residence which is granted the exemption provided for in this Item shall not be eligible for the special assessment level provided for in Section 18(G) of this Article."

AMENDMENT NO. 3

On page 2, line 17, after "**dollars**" insert "**provided for in Item (1)(a)(i)**"

AMENDMENT NO. 4

On page 2, line 18, after "However," insert "**both of**"

AMENDMENT NO. 5

On page 2, line 26, after "2004" insert ", to become effective January 1, 2005"

AMENDMENT NO. 6

On page 3, delete lines 2 through 5, and insert: "To authorize the governing authority of a parish or a municipality to provide by ordinance for an exemption for any newly constructed residence at a cost which shall not exceed a limit which shall be set forth in such

ordinance whose first owner and occupier is a person sixty-five years of age or older if the residence qualifies as a bona fide homestead under the Constitution of Louisiana; to provide that the exemption shall exempt such residence from all ad valorem taxes levied within the territorial jurisdiction of the governing authority to the full extent of its assessed valuation for the first five years of the owner's ownership and occupation; to provide that any residence which is granted such exemption shall not be eligible for the special assessment level provided for in Article VII, Section 18(G) of the Constitution of Louisiana."

On motion of Senator Mount, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 486—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 15:1202(A)(introductory paragraph) and 1204.1(A) and (B)(11), R.S. 36:401(B)(1) and (2) and (C)(1), 402, 405(A)(1)(introductory paragraph) and (c) and (2), (B), and (C), 406(A), (B)(3), and (C), 407(B) and (C), and 408(G)(1) and (H), R.S. 39:21.3(D), and R.S. 46:2602(B)(3), and to enact R.S. 15:1202(A)(27), 1228.2(10) and 1228.3(14) and R.S. 36:405(D) and 406(B)(4), relative to the reorganization of the Department of Public Safety and Corrections; to create youth services as an organizational unit of the department; to provide for the composition and officers of youth services; to create the office of management and finance for youth services; to place the office of youth development within youth services; to provide for the powers, duties, functions, and responsibilities of department officers; to provide for office functions; to provide relative to membership and functions of related boards, commissions, and like entities; to provide for implementation; to provide for effective dates; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 560—
BY SENATOR FONTENOT

AN ACT

To amend and reenact the introductory paragraph of R.S. 30:2194(B), (4), (9), and (11) through (15) and the introductory paragraph of (C), 2195(A) and (E), the introductory paragraph of 2195.2(A)(1), (a), and (c)(i), (2), (3), (4), and (5), 2195.3(A)(1)(b) and (7), 2195.4(A)(1), (2), and (3)(c)(ii), 2195.6, 2195.7, 2195.8(A), the introductory paragraph of 2195.8(B) and (1) and (C), 2195.9(A), and 2195.10, to enact R.S. 30:2195.8(D), (E), and (F) and 2195.11, and to repeal R.S. 30:2194(B)(16), relative to underground storage tanks; to provide for uses of money in the Motor Fuels Underground Storage Tank Trust Fund, especially relative to those who are eligible for disbursements from the fund; to provide relative to penalties for failure to pay fees that are paid into the trust fund; to provide relative to financial obligations of tank owners for environmental damage resulting from releases; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 654—
BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 46:231.6(A)(1), (B), (C), and (D), 231.7, 231.8, 231.11 and 460.5, relative to FITAP eligibility and earned income disregards; to provide for a sixty-month limit of eligibility for benefits; to provide for earned income disregards; to provide for initial transitional assessments; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, and passed to a third reading.

SENATE BILL NO. 696—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 11:291(H), relative to state and statewide public retirement systems; to provide with respect to community property interest; to require child support arrearage owed by a former spouse to be deducted from the former spouse's community property interest in the retirement benefit of a member or retiree or the refund of employee contributions; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 696 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, change "enact R.S. 11:291(H)" to "amend and reenact R.S. 11:292"

AMENDMENT NO. 2

On page 1, line 3, change "community property interest;" to "benefits and contributions paid to any member, former member or retiree, spouse or former spouse;"

AMENDMENT NO. 3

On page 1, line 3, delete "to require child support" and insert "to provide that any retirement allowance, benefit or refund of accumulated contributions paid to any member, former member, retiree, spouse or former spouse shall be subject to garnishment or court-ordered assignment to pay child support;"

AMENDMENT NO. 4

On page 1, delete lines 4 and 5 in their entirety.

AMENDMENT NO. 5

On page 1, line 6, delete "refund of employee contributions;"

AMENDMENT NO. 6

On page 1, line 10, change "R.S. 11:291(H) is hereby enacted" to "R.S. 11:292 is hereby amended and reenacted"

AMENDMENT NO. 7

On page 1, delete lines 11 through 17 and on page 2, delete lines 1 through 12 and insert in lieu thereof the following:

"§292. Seizure for child support

Notwithstanding any other provision of law to the contrary, any retirement allowance ~~or benefit paid to any retiree, benefitor refund of accumulated contributions paid to any member, former member or retiree~~ under the provisions of any public retirement system, or the portion of a retirement allowance, benefit or refund of accumulated contributions paid to a spouse or former spouse under the provisions of R.S. 11:291, shall be subject to garnishment or court-ordered assignment to pay child support."

On motion of Senator Boissiere, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 790—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 11:403(5) and 444(C)(10)(a); and to repeal R.S. 11:231 (A)(1), relative to the Louisiana State Employees' Retirement System; to provide with respect to the definition of average final compensation and to provide limitations on increases related thereto; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Boissiere, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 810—

BY SENATOR FONTENOT

AN ACT

To enact R.S. 33:2721.14, relative to sales and use taxes; to authorize certain parishes to increase sales and use taxes; to provide for voter approval; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Mount, the bill was read by title, ordered engrossed, and passed to a third reading.

Senate Bills and Joint Resolutions on Second Reading

The following Senate Bills and Joint Resolutions were taken up and acted upon as follows:

**SENATE BILL NO. 869 (Substitute for Senate Bill No. 736
by Senator Jones)—**

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 3:264(C), 401(A), 453(A), 551.3(B), 551.32(A), 551.63(B)(introductory paragraph), 551.73(B), 551.82(A)(1), 556.3(C), 558.3(C), 732(B)(3), 1604(D), 1892(A)(1), 2091(F), 2364 (B)(3), 3211(C), 3403(B), 3801(C), and 4603(C), R.S. 4:61(A) and 144(A), R.S. 8:675(F), R.S. 9:2341(F), R.S. 15:323(E), 572.1(A), 574.2(A)(1), 1155(D) and 1202(C), R.S. 17:1964(A)(12), 1979(A), 2503(D), and 3053(D), R.S. 22:9(A)(3), 1192(A)(introductory paragraph), 1395.6(C), 1401(A), 1417(B) and 1922(A)(2), R.S. 23:76(C)(1), 103(A)(1),

1398(B), 1652 and 2043(B), R.S. 24:802(B)(introductory paragraph), R.S. 25:2(A), 315(A), 341(D)(7), 373(C), 379.1(D), 380.22(D), 651, 822(A)(introductory paragraph), 891(A)(2)(f), 902(A), 1001(A), and 1232(B)(1)(a), R.S. 27:11(A), R.S. 28:753 (A), R.S. 30:83(C), 121(A), 2062(D), and 2503(B), R.S. 33:2006(A) and 2342(F), R.S. 34:962(A), R.S. 37:74(C)(1), 571(B), 683(A)(1), 914(B)(1), 962(A), 1042(A), 1104(A) and (B)(2)(a), 1314(B), 1339(A), 1361(C), 1379, 1432(A), 1474(C), 1515(A)(2), 2102, 2151(A)(introductory paragraph), 2165(A), 2303(A)(2), 2353(A), 2401.1(C), 2551(B), 2654(C)(1), 2704(B), 2802(A)(1), 2835(A)(2)(b), 3061(A)(2)(c), 3111(B), 3173(A)(1), 3201(B)(2), 3242(C), 3273(B), 3373(B), 3394(C), 3444(B), 3463(A), 3504(B), 3554(A)(2), R.S. 38:3097.4(B), 3098.6, R.S. 39:99.5(A), R.S. 40:5.11(C), 600.4(A)(4), 1232.2(C), 1299.88(A)(2), 1299.181(B)(2), 1578.1(A), 2018(B)(3), 2403(B)(2), 2451(B), R.S. 42:882(A)(4)(c), 1132(B)(2), 1481, R.S. 46:1803(B), 2265(B), 2251(A)(11), 2404(B)(5), 2501, 2525(D), 2624(C), 2634(C), R.S. 48:108.1, 1352(A), 2074(E), R.S. 51:923(B), 1318(D), 1364(D), 2233, 2311(A)(1), and R.S. 56:1(B), 578.2(A)(1), and 700.13(B) and to enact R.S. 3:3363(I), 4106(C) and 4272(D), R.S. 8:61(C), R.S. 17:407.3(D) and 3022(A)(3), R.S. 22:1194.2(D), and 1381(A)(3), R.S. 24:933(D), R.S. 25:651(B), R.S. 28:826(C)(29), R.S. 29:253(D), R.S. 32:772(A)(4), R.S. 37:341(A)(2)(d), 1007(A)(2)(d), 1263(B)(2)(d), 1270.1(B)(5), 1285.2(A)(13), 1379(B), 2503(A)(3)(d), 3084(B)(1)(e), 3152(B)(6), 3356(B)(3), and R.S. 39:301(F), 1784(C), 1798.4(C), R.S. 40:1299.40(E)(3)(i), 1299.44(D)(1)(i), 1300.105(D), 1351(C), 1662.13(A)(3), 1841(E), 2019(H), 2191(A)(4), R.S. 41:1602(B)(3), R.S. 42:2.1, 456.2(D), R.S. 46:933(H), 1406(G), 2605(G), R.S. 47:1402(D), 1832(C), 9004(B)(4), R.S. 48:101(D), R.S. 49:214.12(D), 219.2(B)(5), 1053(J), R.S. 51:911.26(A)(4), 943(D), 1256(D), 1284(D), and R.S. 56:331(F), and 1681(A)(4), relative to the qualifications and qualities of appointees to boards, commissions, councils, authorities, and other entities with statewide jurisdiction over certain matters; to provide with regard to racial and gender diversity; to provide with regard to geographic distribution; to provide with regard to expertise, experience and other qualifications; and to provide for related matters.

On motion of Senator Jones, the bill was read by title and ordered engrossed and passed to a third reading.

Rules Suspended

Senator Chaisson asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 599 from the Committee on Natural Resources.

HOUSE BILL NO. 599—

BY REPRESENTATIVES GARY SMITH AND PIERRE AND
SENATOR CHAISSON

AN ACT

To amend and reenact R.S. 56:1855(L), relative to scenic rivers; to authorize certain environmental remediation activities on Bayou Trepagnier; and to provide for related matters.

On motion of Senator Chaisson, the bill which is a duplicate of Senate Bill No. 340, was read by title and lies over under the rules.

Motion to Recommit

Senator Mount asked for and obtained a suspension of the rules and recommitted Senate Bill No. 830 from the Committee on Health and Welfare to the Committee on Finance.

Motion to Recommit

Senator Mount asked for and obtained a suspension of the rules and recommitted Senate Bill No. 799 from the Committee on Health and Welfare to the Committee on Local and Municipal Affairs.

Motion to Recommit

Senator Cheek asked for and obtained a suspension of the rules and recommitted House Bill No. 14 from the Committee on Education to the Committee on Local and Municipal Affairs.

Reconsideration

On motion of Senator Fields, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, April 26, 2004, was reconsidered.

SENATE BILL NO. 62—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 15:574.20(A), relative to parole; to provide with respect to medical parole; to require medical parole consideration of inmates determined to be terminally ill; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Jackson
Amedee	Fontenot	Jones
Boasso	Gautreaux, B	Marionneaux
Boissiere	Gautreaux, N	McPherson
Duplessis	Heitmeier	Nevers
Dupre	Holden	Smith
Ellington	Irons	Theunissen
Total—21		

NAYS

Adley	Kostelka	Romero
Barham	Lentini	Ullo
Dardenne	Malone	
Hollis	Michot	
Total—10		

ABSENT

Bajoie	Cheek	Mount
Cain	Cravins	Schedler
Chaisson	Hainkel	

Total—8

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 806 (Substitute for Senate Bill No. 158 by Senator Dupre)—

BY SENATOR DUPRE

A JOINT RESOLUTION

Proposing to amend Section 20(A) of Article VII of the Constitution of Louisiana, relative to the homestead exemption from ad valorem property taxes; to provide persons eligible for the homestead exemption and for the valuation of land which is the homestead; to provide for the homestead exemption for homesteads owned in indivision and for fields in which there is timber; to provide for the application of the exemption to the surviving spouse, testamentary or irrevocable trusts, usufructuaries, and to property occupied by a buyer under a bond for deed contract under certain conditions; to prohibit more than one exemption for any person; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 806 by Senator Dupre

AMENDMENT NO. 1

On page 5, line 15, following "Section" and before "(A)" insert "20"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 806 by Senator Dupre

AMENDMENT NO. 1

On page 2, line 13, after "**based**" insert "**in part**"

AMENDMENT NO. 2

On page 2, line 14, after "**Paragraph**" delete the remainder of the line, and insert: "**may continue to be based in part on use value, provided use value classification remains applicable to the property.**" The same homestead"

AMENDMENT NO. 3

On page 3, line 6, change "**was**" to "**qualified**" and on line 7, delete "**eligible**"

AMENDMENT NO. 4

On page 3, line 16, change "**was eligible**" to "**qualified**"

AMENDMENT NO. 5

On page 3, line 18, change "**been eligible**" to "**qualified**"

AMENDMENT NO. 6

On page 3, line 21, after "**or persons**" insert a comma ", "

On motion of Senator Dupre, the amendments were adopted.

Floor Amendments Sent Up

Senator Dupre sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dupre to Engrossed Senate Bill No. 806 by Senator Dupre

AMENDMENT NO. 1

On page 4, line 29, change "her" to "the surviving spouse's"

AMENDMENT NO. 2

On page 5, line 2, change "her or the descendants benefit" to "the benefit of the surviving spouse or the descendants"

On motion of Senator Dupre, the amendments were adopted.

The bill was read by title. Senator Dupre moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Ellington	Lentini	
Total—35		

NAYS

Barham
Total—1

ABSENT

Bajoie
Total—3

Cain

Hainkel

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dupre moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 806. He had intended to vote nay on the bill. He asked that the Official Journal so state.

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees**

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR DARDENNE**

A CONCURRENT RESOLUTION

To require the four state public retirement systems: Louisiana State Employees' Retirement System, Teachers Retirement System of Louisiana, Louisiana School Employees' Retirement System, and Louisiana State Police Retirement System to comply with the state of Louisiana policies, procedures and regulations governing travel, contracts and procurement.

Reported favorably by the Committee on Retirement.

The resolution was read by title. Senator Dardenne moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen

Duplessis	Jones	Ullo
Dupre	Kostelka	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Cain
Total—2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 14—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To direct the office of the legislative auditor to do an in depth financial and compliance audit on the relationships between the state public retirement systems board and the investment advisors, consultants and managers.

Reported favorably by the Committee on Retirement.

The resolution was read by title. Senator Dardenne moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Adley	Fields	Marionneaux
Amedee	Fontenot	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Chaisson	Holden	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen
Dardenne	Jones	Ullo
Duplessis	Kostelka	
Dupre	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Hollis
Total—2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To provide for a study of the benefits, risks and issues involved in, and the feasibility of establishing a defined contribution plan in the four state public retirement systems: Louisiana State Employees' Retirement System, Teachers' Retirement System of Louisiana, Louisiana School Employees' Retirement System, and Louisiana State Police Retirement System.

Reported favorably by the Committee on Retirement.

The resolution was read by title. Senator Dardenne moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Adley	Fontenot	Marionneaux
Amedee	Gautreaux, B	McPherson
Barham	Gautreaux, N	Michot
Boasso	Hainkel	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Chaisson
Total—2	

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

The following Senate Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

SENATE BILL NO. 47—
BY SENATOR ULLO

AN ACT

To enact R.S. 56:578.14, relative to shrimp; to provide relative to the sale of shrimp by restaurants; to authorize the display of certain information; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 114—
BY SENATOR JONES

A JOINT RESOLUTION

Proposing to repeal Article III, Section 4(E) of the Constitution of Louisiana, relative to the terms of office of legislators; to eliminate provisions which limit the number of consecutive terms a member of the Senate may serve in the Senate; to eliminate provisions which limit the number of consecutive terms a member of the House of Representatives may serve in the House of Representatives; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

On motion of Senator Jones, Senate Bill No. 114 was made Special Order of the Day No. 1 on Tuesday, May 4, 2004 immediately following the Morning Hour.

SENATE BILL NO. 145—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 9:2795.4(A)(3) and (F), relative to limitation of liability; to provide relative to motorized off-road vehicle activities; to increase the weight limitation on vehicles involved in such activities; and to provide for related matters.

The bill was read by title. Senator Ellington moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Bajoie

Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Ellington moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 209—

BY SENATOR ADLEY AND REPRESENTATIVE DOERGE

AN ACT

To amend and reenact the introductory paragraph of R.S. 17:3048.1(C)(4) and (C)(4)(a) and (c), relative to the alternative means for determining residency for Tuition Opportunity Program for Students purposes for certain dependent students who graduate from eligible Louisiana high schools and have a parent or court-ordered custodian who resides in an adjoining state; to require that a student's parent or court-ordered custodian who is a resident of a state adjoining Louisiana and resides in a county that adjoins parish with a certain population; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 209 by Senator Adley

AMENDMENT NO. 1

On page 1, line 8, following "adjoins" and before "parish" insert "a"

AMENDMENT NO. 2

On page 1, line 15 after "C." insert " * * *" and delete lines 16 and 17 and on page 2, delete lines 1 and 2 and insert " * * *"

AMENDMENT NO. 3

On page 2, between lines 5 and 6, insert the following:

" (a) The student graduates during the 2001-2002 or 2002-2003 school year ~~or thereafter~~ from a Louisiana public high school or from a nonpublic high school that is approved by the State Board of Elementary and Secondary Education and that meets other applicable requirements of this Section."

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Adley moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson

Boasso	Gautreaux, N	Michot
Boissiere	Heitmeier	Mount
Cain	Holden	Nevers
Chaisson	Hollis	Romero
Cheek	Irons	Schedler
Cravins	Jackson	Smith
Dardenne	Jones	Theunissen
Duplessis	Kostelka	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Ellington	Hainkel
Total—3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Adley moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 258—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 18:1483(7)(e), relative to campaign finance; to classify as "district office" the office of marshal or constable of a city court; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Fields	Lentini
Amedee	Fontenot	Malone
Barham	Gautreaux, B	Marionneaux
Boasso	Gautreaux, N	McPherson
Boissiere	Hainkel	Michot
Cain	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Cravins	Irons	Schedler
Dardenne	Jackson	Smith
Duplessis	Jones	Theunissen
Total—36		

NAYS

Ullo
Total—1

ABSENT

Bajoie	Ellington
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Ullo asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 258. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

SENATE BILL NO. 259—
BY SENATOR IRONS

AN ACT

To enact R.S. 17:197.1, relative to school nutrition; to limit certain beverages and food sold at schools during a certain time period; to limit accessibility to students; and to provide for related matters.

On motion of Senator Irons, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 283—
BY SENATORS DARDENNE, DUPRE AND HAINKEL

AN ACT

To amend and reenact the introductory paragraph of R.S. 17:3048.1(A)(1)(e) and R.S. 17:3048.1(A)(1)(e)(xii), relative to Tuition Opportunity Program for Students high school core curriculum requirements for certain awards; to provide applicability; to provide an effective date; and to provide for related matters.

The bill was read by title. Senator Dardenne moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Ellington	Kostelka
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 347—
BY SENATOR SMITH

AN ACT

To enact R.S. 48:282, relative to the sale of timber by the Department of Transportation and Development; to authorize the department to sell timber which has been cut or felled on state highway rights-of-way; to provide for the use of the proceeds; and to provide for related matters.

The bill was read by title. Senator Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Adley	Bajoie
Total—2	

The Chair declared the bill was passed. The title was read and adopted. Senator Smith moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 435—

BY SENATORS THEUNISSEN AND NEVERS

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(e)(vi), and (B)(2)(b)(vi) and (c)(vi), relative to the Tuition Opportunity Program for Students; to include certain agriscience courses as a science option in the core curriculum; and to provide for related matters.

The bill was read by title. Senator Theunissen moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Bajoie
Total—1

The Chair declared the bill was passed. The title was read and adopted. Senator Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 487—

BY SENATOR HEITMEIER

AN ACT

To amend R.S. 32:413(B), relative to licenses; to waive collection of any charges required for duplicate licenses under certain conditions; and to provide for related matters.

The bill was read by title. Senator Heitmeier moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Gautreaux, N	McPherson
Amedee	Hainkel	Michot
Boissiere	Heitmeier	Mount
Chaisson	Holden	Nevers
Cheek	Hollis	Romero
Dardenne	Jackson	Schedler
Duplessis	Jones	Theunissen
Dupre	Kostelka	Ullo
Fields	Lentini	
Fontenot	Marionneaux	
Total—28		

NAYS

Adley	Cravins	Malone
Barham	Ellington	Smith
Boasso	Irons	
Total—8		

ABSENT

Bajoie	Cain	Gautreaux, B
Total—3		

The Chair declared the bill was passed. The title was read and adopted. Senator Heitmeier moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 709— BY SENATOR MICHOT

AN ACT

To enact R.S. 44:137(D), (E), and (F), relative to public records; to provide for the disposition of original records filed by the clerks of court; to provide for evidentiary status of reproductions of such records; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 709 by Senator Michot

AMENDMENT NO. 1

On page 2, lines 1 and 14, following "nature" and before "including" delete ","

AMENDMENT NO. 2

On page 2, line 22, following "destruction" and before "an" change "or" to "of"

AMENDMENT NO. 3

On page 2, line 26, following "relating" and before "such" insert "to"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Michot moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Adley	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers

Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Total—38		

NAYS

Total—0

ABSENT

Bajoie
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Senator Ellington in the Chair

SENATE BILL NO. 713—

BY SENATOR MARIONNEAUX

AN ACT

To enact R.S. 23:1032.1, relative to workers' compensation; to provide with respect to liability of employers; to exempt employers who fail to secure workers' compensation insurance or proper certification of self-insurance status from statutory immunity; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 762—

BY SENATOR B. GAUTREAUX

AN ACT

To authorize and provide for the transfer of certain state property in Assumption Parish to the Assumption Parish Police Jury; and to provide for related matters.

The bill was read by title. Senator B. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Lentini
Amedee	Fields	Malone
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie

Heitmeier

Marionneaux

Total—3

The Chair declared the bill was passed. The title was read and adopted. Senator B. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 771—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 23:992, relative to employment of certain aliens; to prohibit hiring undocumented illegal aliens; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 771 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 3, delete "undocumented illegal aliens" and insert in lieu thereof: "of an alien who is not entitled to lawfully reside or work in the United States"

AMENDMENT NO. 2

On page 1, at the beginning of line 14, delete "undocumented illegal alien" and insert in lieu thereof: "alien who is not entitled to lawfully reside or work in the United States"

On motion of Senator Cravins, the amendments were adopted.

Floor Amendments Sent Up

Senator Fontenot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fontenot to Engrossed Senate Bill No. 771 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 3, after "penalties;" insert "to provide for exceptions;"

AMENDMENT NO. 2

On page 2, between lines 15 and 16 insert the following: "E. The provisions of this Section shall not apply to employers with ten or less employees."

On motion of Senator Fontenot, the amendments were adopted.

Floor Amendments Sent Up

Senator Marionneaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Marionneaux to Engrossed Senate Bill No. 771 by Senator Cravins

AMENDMENT NO. 1

On page 2, between lines 15 and 16, insert the following:

"R.S. 23:992(F) is all proposed new law."

(F) The provisions of this Section shall not apply to an alien who is employed in any agricultural position of employment."

On motion of Senator Marionneaux, the amendments were adopted.

The bill was read by title. Senator Cravins moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jackson
Amedee	Fields	Jones
Boissiere	Fontenot	Kostelka
Cain	Gautreaux, N	Marionneaux
Chaisson	Hainkel	McPherson
Cheek	Heitmeier	Mount
Cravins	Holden	Nevers
Duplessis	Irons	Romero
Total—24		

NAYS

Adley	Gautreaux, B	Schedler
Barham	Hollis	Smith
Boasso	Lentini	Theunissen
Dardenne	Malone	Ullo
Ellington	Michot	
Total—14		

ABSENT

Bajoie

Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Cravins moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair**Rules Suspended**

Senator Ullo asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Bills and Joint Resolutions on
Third Reading and Final Passage,
Subject to Call**

The following Senate Bills and Joint Resolutions on third reading and final passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Fontenot asked that Senate Bill No. 247 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 247—
BY SENATOR FONTENOT**

AN ACT

To amend and reenact R.S. 3:472(4) and (5), 473, 474, 476, and 478(A), and to repeal R.S. 3:472(6) and (7), relative to the Louisiana Strawberry Marketing Board; to provide for the membership, powers, and duties of the board; to provide relative to assessments on the sale of strawberries; to provide for the powers of the commissioner of agriculture and forestry; to provide for penalties; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Mount
Chaisson	Michot	Theunissen
Total—6		

NAYS

Adley	Dupre	Jones
Amedee	Ellington	Kostelka
Barham	Gautreaux, B	Lentini
Boasso	Gautreaux, N	Malone
Boissiere	Hainkel	Nevers
Cain	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Hollis	Smith
Dardenne	Irons	Ullo
Duplessis	Jackson	
Total—29		

ABSENT

Bajoie	Marionneaux
Fields	McPherson
Total—4	

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Fontenot, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next

succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Called from the Calendar

Senator Irons asked that Senate Bill No. 241 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 241—

BY SENATORS IRONS, BAJOIE, CHAISSON, CHEEK, N. GAUTREAUX, JACKSON, MCPHERSON AND SCHEDLER
AN ACT

To enact R.S. 46:1409.1, relative to certain licensed child care facilities; to provide for the development of a written safe sleep policy; to provide for posting of the written policy; to provide for training; and to provide for related matters.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed Senate Bill No. 241 by Senator Irons

AMENDMENT NO. 1

On page 2, line 1, change "sleep safe" to "safe sleep"

On motion of Senator Irons, the amendments were adopted.

The bill was read by title. Senator Irons moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Amedee	Fontenot	Marionneaux
Barham	Gautreaux, B	McPherson
Boasso	Gautreaux, N	Michot
Boissiere	Hainkel	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Ellington	Lentini	
Total—37		

NAYS

Total—0

ABSENT

Adley	Bajoie
Total—2	

The Chair declared the amended bill was passed. The title was read and adopted. Senator Irons moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Called from the Calendar

Senator Ellington asked that Senate Bill No. 559 be called from the Calendar at this time.

SENATE BILL NO. 559—
BY SENATORS ELLINGTON AND SMITH
AN ACT

To amend and reenact R.S. 36:802.6 and R.S. 44:4.1(B)(1), and to enact Part XVI of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:559.1 through 559.13, and R.S. 36:629(Q), relative to aquacultural development; to create the Louisiana Aquaculture Coordinating Council; to provide for the membership, organization, powers, and duties of the Louisiana Aquaculture Coordinating Council; to provide for the powers of the commissioner of the Department of Agriculture and Forestry; to require certain aquatic producers to obtain a license or permit; to provide for the cost and issuance of such license or permit; to establish criteria for inspecting licensed facilities; to provide for the deposit and disbursement of fees and penalties; to enumerate violations; to provide for investigations of facilities; to provide civil penalties for violations; and to provide for related matters.

On motion of Senator Ellington, Senate Bill No. 559 was made Special Order of the Day No. 3 on Wednesday, April 28, 2004 immediately following the Morning Hour.

Called from the Calendar

Senator Dupre asked that Senate Bill No. 715 be called from the Calendar at this time.

SENATE BILL NO. 715—
BY SENATOR DUPRE
AN ACT

To amend and reenact R.S. 32:407(A)(2)(a) and (3), relative to drivers' licenses of minors; to provide relative to Class "E" learner's and intermediate drivers' licenses; to provide restrictions; to provide for certain authorized persons to be in a vehicle once the driver has obtained an intermediate license during a certain time period; and to provide for related matters.

On motion of Senator Dupre, the bill was read by title and withdrawn from the files of the Senate.

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Introduction of Resolutions, Senate and Concurrent

Senator Holden asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions,

Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 43—
BY SENATOR HOLDEN
A RESOLUTION

To commend and congratulate Tabby Thomas upon receiving the 2004 Baton Rouge Blues Foundation Slim Harpo Blues Legend Award.

On motion of Senator Holden, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 44—
BY SENATOR HOLDEN
A RESOLUTION

To commend and congratulate Kenny Neal upon receiving the 2004 Baton Rouge Blues Foundation Slim Harpo Blues Pioneer Award.

On motion of Senator Holden, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 45—
BY SENATOR HOLDEN
A RESOLUTION

To commend and congratulate Larry Garner upon receiving the 2004 Baton Rouge Blues Foundation Slim Harpo Blues Ambassador Award.

On motion of Senator Holden, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 46—
BY SENATOR KOSTELKA
A RESOLUTION

To commend and congratulate Dr. Neari F. Warner on her tenure as acting president of Grambling State University.

On motion of Senator Kostelka, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 82—
BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To continue and provide with respect to the Louisiana Public Mental Health Review Commission.

The resolution was read by title. Senator Schedler moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Hainkel	Nevers

Chaisson	Heitmeier	Romero
Cheek	Holden	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Hollis	Lentini
Total—3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 83—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To designate August, 2004, as Adrenoleukodystrophy Awareness Month.

The resolution was read by title. Senator Schedler moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Hainkel	Lentini
Total—3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 84—
BY SENATOR MCPHERSON AND REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request that the Department of Health and Hospitals study the issue of the health care delivery system in Louisiana

and the establishment of a more integrated delivery system statewide.

The resolution was read by title. Senator McPherson moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Kostelka
Adley	Ellington	Malone
Amedee	Fields	Marionneaux
Barham	Fontenot	McPherson
Boasso	Gautreaux, B	Michot
Boissiere	Gautreaux, N	Mount
Cain	Heitmeier	Nevers
Chaisson	Holden	Romero
Cheek	Hollis	Schedler
Cravins	Irons	Smith
Dardenne	Jackson	Theunissen
Duplessis	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Hainkel	Lentini
Total—3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 85—
BY SENATOR ADLEY

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana to the parents of Jason Kavanaugh Willis and the parents of Sarah Margaret Madden Willis on the death of their children.

The resolution was read by title. Senator Adley moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith

April 27, 2004

Cravins
Dardenne
Duplessis
Total—35

Jackson
Jones
Kostelka

Theunissen
Ullo

NAYS

Total—0

ABSENT

Bajoie
Fontenot
Total—4

Hainkel
Lentini

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

April 27, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 79— BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To commend Duke Energy Gas Transmission Corporation's Texas Eastern Transmission, LP affiliate on the donation of 3.63 acres of land to the Fire Protection District No. 1 in West Feliciana Parish.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 80— BY SENATOR HOLLIS

A CONCURRENT RESOLUTION

To designate April 27, 2004 as "Louisiana Electric Cooperative Day" at the legislature.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 81— BY SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To commend and congratulate Glen Erroll Neaville upon the occasion of his forty-fifth anniversary in banking in Louisiana.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 27, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 142—

BY REPRESENTATIVES FRITH, FLAVIN, GEYMAN, E. GUILLORY, JOHNS, HILL, AND MORRISH AND SENATORS THEUNISSEN, CAIN, AND MOUNT

A CONCURRENT RESOLUTION

To express condolences and heartfelt sorrow of the Legislature of Louisiana upon the death of Jennings Bryan Jones, Jr.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator N. Gautreaux asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 142—

BY REPRESENTATIVES FRITH, FLAVIN, GEYMAN, E. GUILLORY, JOHNS, HILL, AND MORRISH AND SENATORS THEUNISSEN, CAIN, AND MOUNT

A CONCURRENT RESOLUTION

To express condolences and heartfelt sorrow of the Legislature of Louisiana upon the death of Jennings Bryan Jones, Jr.

The resolution was read by title. Senator N. Gautreaux moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Malone
Adley	Ellington	Marionneaux
Amedee	Fields	McPherson
Barham	Gautreaux, B	Michot
Boasso	Gautreaux, N	Mount
Boissiere	Heitmeier	Nevers
Cain	Holden	Romero
Chaisson	Hollis	Schedler
Cheek	Irons	Smith
Cravins	Jackson	Theunissen

Dardenne
Duplessis
Total—35

Jones
Kostelka

Ullo

NAYS

Total—0

ABSENT

Bajoie
Fontenot
Total—4

Hainkel
Lentini

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 27, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 104—

BY REPRESENTATIVES BRUNEAU, ALARIO, LANCASTER, THOMPSON, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BAUDOIN, BAYLOR, BEARD, BOWLER, BROOME, BRUCE, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FLAVIN, FRITH, FUTRELL, GALLOT, GEYMANN, GLOVER, GRAY, E. GUILLORY, M. GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUDSON, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, LABRUZZO, LAFLEUR, LAMBERT, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SHEPHERD, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, WOOTON, AND WRIGHT AND SENATORS HAINKEL, ULLO, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BOISSIERE, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HINES, HOLDEN, HOLLIS, IRONS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, ROMERO, SCHEDLER, SMITH, AND THEUNISSEN

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of former state representative Joseph Stubbs Casey of New Orleans.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

April 27, 2004

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 1140 (Duplicate of Senate Bill No. 674)—

BY REPRESENTATIVE DURAND AND SENATOR HINES
AN ACT

To enact R.S. 37:1360.31(B)(8), relative to prescriptive authority for physician assistants; to provide for such prescriptive authority for physician assistants under certain circumstances; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Bajoie 1 Day

Adjournment

Senator Ullo moved that the Senate adjourn until Wednesday, April 28, 2004, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, April 28, 2004.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk